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| UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY | |
| Robertson, Anschutz & Schneid, P.L. Attorneys for Secured Creditor 6409 Congress Avenue, Suite 100 Boca Raton, FL 33487 -and- 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone No.: 973-575-0707 (local) Telephone No.: 561-241-6901 (main) Laura Eggerman, Esq. (NJ-8250) | CASE NO.: 17-23648-ABA CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan |
| In Re: WILLIAM K. STANELY and ELLA D. STANLEY, Debtors. | |

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, AS INDENTURE TRUSTEE, FOR THE CSMC 2017-1 TRUST, MORTGAGE-BACKED NOTES, SERIES 2017-1 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtors' Chapter 13 Plan (DE # 2), and states as follows:

1. Debtors, William K Stanley, and Joint Debtor, Ella D. Stanley, ("Debtors"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on July 5, 2017.
2. Secured Creditor holds a security interest in the Debtors' real property located at 644 CRESSON AVENUE, PLEASANTVILLE, NJ 08232, by virtue of a Mortgage recorded on June 27, 2005 at Instrument number 2005068032 of the Public Records of Atlantic County, NJ. Said Mortgage secures a Note in the amount of \$159,200.00.
3. The Debtors filed a Chapter 13 Plan on July 5, 2017.
4. Secured Creditor's claim is secured by a security interest in real property that is the Debtor's principal residence and as such, said claim cannot be modified except by curing the default over a reasonable period of time not to exceed the jurisdictional limits of

Chapter 13. See 11 U.S.C. § 1322(b)(2) and (5). The Plan seeks to modify Secured Creditor's rights by proposing the following treatment: Debtor is attempting to strip the secured claim held by Secured Creditor. Such a Plan provision is impermissible under the Bankruptcy Code and the Plan cannot be confirmed.

5. Debtor is attempting to strip Secured Creditor's first lien on the subject property. Secured Creditor disputes Debtor's strip of the lien as it does not fall within the parameters of lien avoidance as stated in §522 of the Bankruptcy Code.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Robertson, Anschutz & Schneid, P.L.

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CERTIFICATION OF SERVICE

1. I, Laura Egerman, represent Secured Creditor in this matter.
2. On 8/8/2017, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

8/8/2017

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| <u>Name and Address of Party Served</u> | <u>Relationship of Party to the Case</u> | <u>Mode of Service</u> |
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| Ford, Flower, Hasbrouck & Loefflad Robert A. Loefflad P.O. Box 405 Linwood, NJ 08221 | Attorney for Debtors | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| Isabel C. Balboa Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002 | Trustee | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| U.S. Trustee Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102 | U.S. Trustee | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |